4 (2)

SINGLE BENCH

CF 1001/-

BEFORE THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

WRIT PETITION (S)NO. 4075 /2006 (SB).

PETITIONER : B. L. Naik, aged about 54 years, S/o Shri P. L. Naik, O/o. Executive Engineer, Tandula Water Resources Division, Durg, P. O. and Distt. Durg (C.G.)

P.R. No. 4143/06
Presented by Shri Anil Lahre
dated 11/8/06

VERSUS

RESPONDENTS : 1) State of Chhattisgarh , Through: Secretary, Water Resources Department Mantralaya, D.K.S. Bhawan, Raipur Raipur (C.G.).

RECEIVED COPY
1/8/06
CLERK to A. G. BILASPUR

2) The Excutive Engineer, Tandula Water, Resources Division, Durg, P. O. and Distt. Durg (C.G.).

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/96
30/07
Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION FOR ISSUANCE OF A WRIT OF CERTIORARI & MANDAMUS AND ANY OTHER WRIT/ ORDER/ DIRECTION

1. PARTICULARS OF THE PETITIONER:
As given in cause title.

2. PARTICULARS OF THE RESPONDENTS:
As given in cause title.

35

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक ..W.P.(C).4075/06 सन् 200**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | **10.8.2006**<br>Shri B.R. Ghosh, Advocate for the petitioner.<br>Smt. Anju Ahuja, Dy. Govt. Advocate for the State on advance copy.<br>Heard.<br>By this petition, the petitioner has challenged her transfer order dated 4.7.2006 (Annexure P-1) whereby he has been transferred from Durg to Bemetara.<br>The main ground of challenge is that the petitioner is suffering from the disease of paralysis and taking regular treatment at Jawharlal Nehru Hospital & Research Centre, Sector-9, Bhilai and the place where petitioner has been transferred proper medical facility is not available. Moreover, the petitioner's wife is working as Teacher in BSP School, Bhilai and his daughters are also studying at Bhilai and if the petitioner is forced to join at the transferred place, then same will be prejudicial to the health of the petitioner.<br>Therefore, learned counsel for the petitioner submits that, in the circumstances, the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, he be directed to decide the same in accordance with law, to which Smt. Ahuja, learned Dy. Govt. Adv. for the State has no objection.<br>Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation to respondent No.1 raising all the grievances within 10 days from today along with copy of this petition and in turn, respondent No.1 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the grievances raised by the petitioner.<br>With the direction aforesaid, the petition stands disposed of.<br>Consequently, M.(W.)P. No.3168/06 & I.A. No.7601/06 also stands disposed of.<br>**Sd/-**<br>**L.C. Bhadoo**<br>**Judge** | |

P.T.O.

19.8.06